

POLICY NUMBER: POL-18

**Chapter:
GENERAL**

**Subject:
ACCESS TO INFORMATION – EMPLOYER ASSESSMENT FILES**

**Effective Date:
November 15, 1994**

**Last Update:
November 30, 2014**

PURPOSE STATEMENT:

The purpose of the policy is to provide direction with respect to the release of information in employer assessment files.

REFERENCE:

Freedom of Information and Protection of Privacy Act R.S.P.E.I. 1988, Cap. F-15.01, Sections 2, 14, 15.
Workers Compensation Act R.S.P.E.I. 1988, Cap. W-7.1 Section 30.

DEFINITION:

In this policy

“Authorized representative” means an individual with written authority from a worker or employer to act on behalf of them, including accessing information held by the Workers Compensation Board.

POLICY:

Employer And Employer Representative Access To Information

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1. The Workers Compensation Board will provide an employer with one copy of his/her employer's assessment file, free of charge, upon receipt of the **Request For Release Of Employer Assessment File – Form E** (CL-56).
2. The Workers Compensation Board may also provide the employer's authorized representative with one copy of the employer's assessment file, free of charge, if requested by the employer on the **Request For Release Of Employer Assessment File – Form E** (CL-56).
3. Subsequent copies of the employer's assessment file will be provided at a per page fee.
4. Where an employer appoints a new representative, using a new **Request For Release Of Employer Assessment File – Form E** (CL-56), that representative may be provided a copy of the file at a per page fee.
5. The employer or the employer's authorized representative may request a copy of new information received on the employer's assessment file since the last release of information. In response, the Workers Compensation Board will release, free of charge, a copy of the information under the authority of the existing **Request For Release Of Employer Assessment File – Form E** (CL-56).
6. The authorizations will remain in effect until the Workers Compensation Board is notified otherwise.

Enquiries From Employer Or Employer's Designated Employee

7. In the course of conducting regular business, the Workers Compensation Board may receive enquiries from individuals acting on the employer's behalf related to the employer's assessment account. Workers Compensation Board staff will confirm that the individual is the employer or is authorized to act on behalf of the employer prior to sharing information about the employer's assessment file.
8. The Workers Compensation Board may provide, either verbally or in written form, information contained in an employer's assessment file to that employer or the individual authorized to act on behalf of that employer.

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Third Party Access to Information

9. The Workers Compensation Board may release employer assessment information to someone other than the employer, the employer's authorized representative, and an individual authorized to act on behalf of the employer in certain circumstances. Examples of circumstances include, but are not limited to, the following:
- confirmation that an employer is registered with the Workers Compensation Board.
 - confirmation that an employer is in good standing with the Workers Compensation Board.
 - information to a receiver, trustee, or executor who has taken over management of the business undergoing bankruptcy or for a deceased employer. The receiver, trustee, or executor must provide confirmation of the person's appointment to manage the business.
 - to assist the Workers Compensation Board in collecting unpaid assessments and securing judgements.
 - to comply with the *Freedom of Information and Protection of Privacy Act*.
 - to manage interjurisdictional claims with other Workers Compensation jurisdictions.

General

10. The Workers Compensation Board may accept a request for information from the employer in writing provided the request includes details that are equivalent to those found on the **Request For Release Of Employer Assessment File – Form E** (CL-56).
11. Employer assessment file information released under this policy will be sent to the recipient or if requested by the recipient, the file may be picked up at the Workers Compensation Board office. If picked up, the recipient will be required to show two pieces (one picture) of identification prior to releasing the information.

HISTORY:

November 30, 2014 - Amended to provide clarity with respect to the release of information from employer assessment files.

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September 22, 2005 - The policy was updated as a result of the 60 month policy review process. Name changed from “Confidentiality And Release Of Information” to “File Release – Employer Services.”

May 18, 2000 - Replaced “Board” with “Workers Compensation Board” and amended format.

February 4, 1999 - Reviewed and reaffirmed with the Board of Directors.

Board of Directors Approval Date: November 15, 1994